IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

WP(C).No. 29301 of 2007(L)

OS.159/1982 of MUNSIFF COURT, PUNALUR

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PETITIONER:

JAYASREE, D/O RADHAMANY AMMA,
AGED 43 YEARS, JAYAVILASAM VEEDU,
PANAYANCHERY, ANCHAL VILLAGE,
KOLLAM DISTRICT.

BY ADV. SRI.M.S.RADHAKRISHNAN NAIR

RESPONDENTS:

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1. RADHAMANY AMMA, ASWATHY BHAVAN,
PANAYANCHERY, ANCHAL.

2. TAHIRA IBRAHIM, REJI MANZIL,
THAZHAMEL, ANCHAL.

3. FAZALUDEEN,
PUTTENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

4. NOORUDHEEN,
PUTHENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

5. JALALUDEEN,
PUTHENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

6. SABIA, PUTHENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

7. NAZEER, PUTHENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

8. NAZEEMA, PUTHENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

9. KAMALUDEEN, PUTHENVEETTIL KIZHAKETHIL,
ASRAMAM, KOLLAM.

10. PRABHAKARAN PILLAI,
CHAMAKKALA VEEDU,
PANAYANCHERY, ANCHAL,
P.O.KOLLAM.

11. MAYADEVI, W/O PRABHAKARAN PILLAI,
CHAMAKKAL VEEDU, PANAYANCHERY,
ANCHAL P.O., KOLLAM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No. 29301 OF 2007

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Dated this the 8th day of October 2007

JUDGMENT

This writ petition is filed for a direction to the Munsiff's Court, Punalur to direct the 3rd respondent Tahira Ibrahim to appear before court with necessary documents to prove her identity and for a further direction to enquire and compare signatures put by the 3rd respondent. Earlier, as per the direction in W.P.(C)No.27861/2007, this court directed the petitioner, if she wants to file an application before the learned Munsiff for a direction to the 3rd respondent to appear in person, if the case is that the 3rd respondent is no more. So the question that has to be considered and orders passed is with respect to Smt.Tahira Ibrahim. It was represented that a person was produced before the court and it was not the said Tahira Ibrahim, but somebody else. I do not want to give any direction to the learned Munsiff how to conduct an enquiry regarding the factum whether the person who is present before the court is Tahira Ibrahim or not. Since it is objected to by the other side, I direct the learned Munsiff to consider the objections and rely upon the materials which he wants, to get himself satisfied that the

person who appears before court is Tahira Ibrahim. If it is not so also he may pass an order accordingly.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-